

**VIRGINIA BOARD OF PHARMACY
MINUTES OF REGULATION COMMITTEE**

November 4, 2002
Fifth Floor
Conference Room 4

Department of Health Professions
6606 West Broad Street
Richmond, Virginia 23230

CALL TO ORDER: A meeting of the Regulation Committee of the Board of Pharmacy was called to order at 9:15 AM.

PRESIDING: Sonny Currin, Board Chairman

MEMBERS PRESENT: Michael J. Ayotte
Michelle Easton
Willie Brown
Mark Szalwinski

STAFF PRESENT: Elizabeth Scott Russell, Executive Director
Ralph A. Orr, Deputy Executive Director
Elaine J. Yeatts, Senior Regulatory Analyst
Howard M. Casway, Assistant Attorney General

**PROPOSED
LEGISLATION: NON-
RESIDENT
PHARMACIES** Mr. Szalwinski moved and the committee voted unanimously to approve a legislative proposal to give the Board clear authority to take disciplinary action against a non-resident pharmacy registration. Current law only authorizes action if a resident state fails to initiate an investigation within 45 days following receipt of a complaint from Virginia. (Attachment 1)

**REVIEW OF PUBLIC
COMMENT** Ms. Russell stated that the Board has received the following public comments during the NOIRA stage:

A comment from Medco Health Solutions relating to the requirement for prescribers to document on a prescription prior to faxing that is being faxed and the name of the pharmacy to which faxed. This is often omitted requiring the pharmacy to call and verify the prescription which most prescribers see as a nuisance. The request is to have the Board consider amending the regulation to allow pharmacies to accept faxed prescriptions without this documentation.

The second comment requested clarification of 18 VAC 110-20-360 B, specifically, whether it allows a prescription phoned into pharmacy A to be transferred to pharmacy B for dispensing if pharmacy A never fills the prescription. This assumes that pharmacy A creates all required records and documentation and both pharmacies share a common database.

DRAFT PROPOSED The committee began drafting proposed regulations.

REGULATIONS

NEXT MEETING

The next meeting date will be determined at the full Board meeting on December 3, 2002.

ADJOURN:

The meeting was adjourned at 2:00 PM.

Elizabeth Scott Russell
Executive Director

Sonny Currin, Board Chair

Date